

# Exhibit 1

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**From:** Geraldine W. Young  
**Sent:** Tuesday, April 2, 2024 5:26 PM  
**To:** Lee, Kenina J.; Sara; 'Audrey Moore'; Zeke DeRose III; Jonathan Wilkerson; Alex J. Brown; Marc B. Collier; John McBride; Peter M. Hillegas; Trevor Young; Noah Heinz; Zina Bash; Joseph M. Graham Jr.; Ashley Keller; Brooke Smith; jdugan@dugan-lawfirm.com  
**Cc:** Bitton, Daniel S.; Justina (JKS; Justus, Bradley; Paul Yetter; Mollie; Eric (EJM; Robert; Julie (JSE; Harkrider, John D.; Hunsberger, James K; Pearl, David; Vissichelli, Allison M.; Bryce Callahan; Andrew (AJE  
**Subject:** RE: State of Texas v Google - Deposition Notices

Counsel,

See below our responses to your questions regarding Mr. Mohan's deposition noticed in this case:

- (1) Plaintiffs' position regarding the implications of the Coordination Order in the MDL case for their deposition notice of Mr. Mohan.

We have reviewed the MDL Coordination Order, and it states that: "Any witness appearing at a Google deposition or a Non-Party Deposition taken during the Coordinated Discovery Period cannot be compelled to sit for a second deposition in any Coordinated Case ... absent good cause shown to the Court in the Coordinated Case for which the subsequent deposition of the witness is noticed." MDL Dkt. 564 at 9. Our case in the Eastern District of Texas is not a "Coordinated Case," defined in the MDL Order as "the MDL or the Virginia Case." And, as you know, no coordination order is in effect in our Texas case. Thus, the MDL Coordination Order does not bar or limit a second deposition of any witness, including Mr. Mohan, in our Texas case because our case is not a "Coordinated Case." The express language of the MDL Coordination Order resolves this issue. As to the timing issues we discussed, the Second Circuit denied Google's mandamus petition on October 4, 2023, before Mr. Mohan's deposition later in October and following which the States' case returned to the Eastern District of Texas.

- (2) Plaintiffs' position as to why they believe they have good cause to re-depose Mr. Mohan.

As shown above, the States do not need to show good cause because this case is not a Coordinated Case subject to the good cause requirement in the MDL Coordination Order. In any event, the States received Google productions containing relevant documents associated with Mr. Mohan after his deposition in October 2023 that would be good cause for his deposition in this case, even if this case were subject to the coordination order.

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**From:** Lee, Kenina J. <klee@axinn.com>  
**Sent:** Friday, March 29, 2024 3:55 PM  
**To:** Geraldine W. Young <geraldine.young@nortonrosefulbright.com>; Sara <Sara.Salem@freshfields.com>; 'Audrey Moore' <Audrey.Moore@LanierLawFirm.com>; Zeke DeRose III <zeke.derose@lanierlawfirm.com>; Jonathan Wilkerson <Jonathan.Wilkerson@LanierLawFirm.com>; Alex J. Brown <Alex.Brown@LanierLawFirm.com>; Marc B. Collier <marc.collier@nortonrosefulbright.com>; John McBride <john.mcbride@nortonrosefulbright.com>; Peter M. Hillegas <peter.hillegas@nortonrosefulbright.com>; Trevor Young <trevor.young@oag.texas.gov>; Noah Heinz <Noah.Heinz@kellerpostman.com>; Zina Bash <zina.bash@kellerpostman.com>; Joseph M. Graham Jr. <joseph.graham@nortonrosefulbright.com>; Ashley Keller <ack@kellerpostman.com>; Brooke Smith <brooke.smith@kellerlenkner.com>; jdugan@dugan-lawfirm.com  
**Cc:** Bitton, Daniel S. <dbitton@axinn.com>; Justina (JKS <Justina.Sessions@freshfields.com>; Justus, Bradley <bjustus@axinn.com>; Paul Yetter <pyetter@yettercoleman.com>; Mollie <mbracewell@yettercoleman.com>; Eric (EJM

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**Subject:** FW: State of Texas v Google - Deposition Notices

Dear Geraldine,

Following up on our meet and confer earlier today, we understand that Plaintiffs will get back to us on the following issues:

- (1) Plaintiffs' position regarding the implications of the Coordination Order in the MDL case for their deposition notice of Mr. Mohan.
- (2) Plaintiffs' position as to why they believe they have good cause to re-depose Mr. Mohan.

We understand that you will aim to provide us answers to the questions early next week and are available for another meet and confer once you have responded. In the meantime, if you have any questions, please do not hesitate to reach out.

Best regards,  
Kenina

**Kenina J. Lee**  
*Counsel*



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**From:** Bitton, Daniel S. <[dbitton@axinn.com](mailto:dbitton@axinn.com)>  
**Sent:** Thursday, March 28, 2024 12:17 PM  
**To:** Geraldine W. Young <[geraldine.young@nortonrosefulbright.com](mailto:geraldine.young@nortonrosefulbright.com)>; SALEM, Sara <[Sara.Salem@freshfields.com](mailto:Sara.Salem@freshfields.com)>; 'Audrey Moore' <[Audrey.Moore@LanierLawFirm.com](mailto:Audrey.Moore@LanierLawFirm.com)>; Zeke DeRose III <[zeke.derosse@lanierlawfirm.com](mailto:zeke.derosse@lanierlawfirm.com)>; Jonathan Wilkerson <[Jonathan.Wilkerson@LanierLawFirm.com](mailto:Jonathan.Wilkerson@LanierLawFirm.com)>; Alex J. Brown <[Alex.Brown@LanierLawFirm.com](mailto:Alex.Brown@LanierLawFirm.com)>; Marc B. Collier <[marc.collier@nortonrosefulbright.com](mailto:marc.collier@nortonrosefulbright.com)>; John McBride <[john.mcbride@nortonrosefulbright.com](mailto:john.mcbride@nortonrosefulbright.com)>; Peter M. Hillegas <[peter.hillegas@nortonrosefulbright.com](mailto:peter.hillegas@nortonrosefulbright.com)>; Trevor E. D. Young (<[trevor.young@oag.texas.gov](mailto:trevor.young@oag.texas.gov)> <[trevor.young@oag.texas.gov](mailto:trevor.young@oag.texas.gov)>); Noah Heinz <[Noah.Heinz@kellerpostman.com](mailto>Noah.Heinz@kellerpostman.com)>; Zina Bash <[zina.bash@kellerpostman.com](mailto:zina.bash@kellerpostman.com)>; Joseph M. Graham Jr. <[joseph.graham@nortonrosefulbright.com](mailto:joseph.graham@nortonrosefulbright.com)>; Ashley Keller <[ack@kellerpostman.com](mailto:ack@kellerpostman.com)>; Brooke Smith <[brooke.smith@kellerlenkner.com](mailto:brooke.smith@kellerlenkner.com)>; [jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)  
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**Subject:** Re: State of Texas v Google - Deposition Notices

Thanks, Geraldine. We will circulate an invite and look forward to speaking tomorrow. We understand that the current date noticed for Mr. Mohan's deposition serves as a placeholder. But for the avoidance of doubt, Mr. Mohan's deposition will not go forward on Monday, April 1.

**Daniel S. Bitton**

*Partner*



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Pronouns | He, Him, His

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**From:** "Geraldine W. Young" <[geraldine.young@nortonrosefulbright.com](mailto:geraldine.young@nortonrosefulbright.com)>

**Sent:** Thursday, March 28, 2024 6:26 AM

**To:** Bitton, Daniel S.; SALEM, Sara; 'Audrey Moore'; Zeke DeRose III; Jonathan Wilkerson; Alex J. Brown; Marc B. Collier; John McBride; Peter M. Hillegas; Trevor E. D. Young ([trevor.young@oag.texas.gov](mailto:trevor.young@oag.texas.gov)); Noah Heinz; Zina Bash; Joseph M. Graham Jr.; Ashley Keller; Brooke Smith; [idugan@dugan-lawfirm.com](mailto:idugan@dugan-lawfirm.com)

**Cc:** SESSIONS, Justina (JKS); Justus, Bradley; Paul Yetter; Bracewell, Mollie; MAHR, Eric (EJM); MCCALLUM, Robert; ELMER, Julie (JSE); Harkrider, John D.; Hunsberger, James K.; Pearl, David; Vissichelli, Allison M.; Bryce Callahan; EWALT, Andrew (AJE)

**Subject:** RE: State of Texas v Google - Deposition Notices

**Caution:External Email**

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Yes, we are available during the Friday timeframe below. Thanks, Geraldine

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**From:** Bitton, Daniel S. <[dbitton@axinn.com](mailto:dbitton@axinn.com)>

**Sent:** Wednesday, March 27, 2024 5:09 PM

**To:** SALEM, Sara <[Sara.Salem@freshfields.com](mailto:Sara.Salem@freshfields.com)>; Geraldine W. Young <[geraldine.young@nortonrosefulbright.com](mailto:geraldine.young@nortonrosefulbright.com)>; 'Audrey Moore' <[Audrey.Moore@LanierLawFirm.com](mailto:Audrey.Moore@LanierLawFirm.com)>; Zeke DeRose III <[zeke.derose@lanierlawfirm.com](mailto:zeke.derose@lanierlawfirm.com)>; Jonathan Wilkerson <[Jonathan.Wilkerson@LanierLawFirm.com](mailto:Jonathan.Wilkerson@LanierLawFirm.com)>; Alex J. Brown <[Alex.Brown@LanierLawFirm.com](mailto:Alex.Brown@LanierLawFirm.com)>; Marc B.

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**Subject:** RE: State of Texas v Google - Deposition Notices

Counsel,

We would also like to meet and confer regarding your deposition notice to Mr. Mohan. Are you available for a meet and confer about that tomorrow (Thursday March 27) 3-4 pm ET or after 5:30 pm ET, or on Friday 12-2 pm ET?

**Daniel S. Bitton**

*Partner*



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**From:** SALEM, Sara <[Sara.Salem@freshfields.com](mailto:Sara.Salem@freshfields.com)>

**Sent:** Wednesday, March 27, 2024 8:06 AM

**To:** Geraldine W. Young <[geraldine.young@nortonrosefulbright.com](mailto:geraldine.young@nortonrosefulbright.com)>; 'Audrey Moore' <[Audrey.Moore@LanierLawFirm.com](mailto:Audrey.Moore@LanierLawFirm.com)>; Zeke DeRose III <[zeke.deroser@lanierlawfirm.com](mailto:zeke.deroser@lanierlawfirm.com)>; Jonathan Wilkerson <[Jonathan.Wilkerson@LanierLawFirm.com](mailto:Jonathan.Wilkerson@LanierLawFirm.com)>; Alex J. Brown <[Alex.Brown@LanierLawFirm.com](mailto:Alex.Brown@LanierLawFirm.com)>; Marc B. Collier <[marc.collier@nortonrosefulbright.com](mailto:marc.collier@nortonrosefulbright.com)>; John McBride <[john.mcbride@nortonrosefulbright.com](mailto:john.mcbride@nortonrosefulbright.com)>; Peter M. Hillegas <[peter.hillegas@nortonrosefulbright.com](mailto:peter.hillegas@nortonrosefulbright.com)>; Trevor E. D. Young (trevor.young@oag.texas.gov) <[trevor.young@oag.texas.gov](mailto:trevor.young@oag.texas.gov)>; Noah Heinz <[Noah.Heinz@kellerpostman.com](mailto>Noah.Heinz@kellerpostman.com)>; Zina Bash <[zina.bash@kellerpostman.com](mailto:zina.bash@kellerpostman.com)>; Joseph M. Graham Jr. <[joseph.graham@nortonrosefulbright.com](mailto:joseph.graham@nortonrosefulbright.com)>; Ashley Keller <[ack@kellerpostman.com](mailto:ack@kellerpostman.com)>; Brooke Smith

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**Subject:** RE: State of Texas v Google - Deposition Notices

**Caution:External Email**

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Counsel –

We would like to meet and confer again regarding your deposition notices to Mr. Brin and Mr. Pichai. Are you available to discuss today between 3-5pm CT / 4-6pm ET?

Thanks,  
Sara

**Sara Salem**  
Senior Associate  
T+1 202 777 4529 | M +1 202 853 0381

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**From:** Geraldine W. Young <[geraldine.young@nortonrosefulbright.com](mailto:geraldine.young@nortonrosefulbright.com)>

**Sent:** Friday, March 22, 2024 6:37 PM

**To:** SALEM, Sara <[Sara.Salem@freshfields.com](mailto:Sara.Salem@freshfields.com)>; 'Audrey Moore' <[Audrey.Moore@LanierLawFirm.com](mailto:Audrey.Moore@LanierLawFirm.com)>; Zeke DeRose III <[zeke.derose@lanierlawfirm.com](mailto:zeke.derose@lanierlawfirm.com)>; Jonathan Wilkerson <[Jonathan.Wilkerson@LanierLawFirm.com](mailto:Jonathan.Wilkerson@LanierLawFirm.com)>; Alex J. Brown <[Alex.Brown@LanierLawFirm.com](mailto:Alex.Brown@LanierLawFirm.com)>; Marc B. Collier <[marc.collier@nortonrosefulbright.com](mailto:marc.collier@nortonrosefulbright.com)>; John McBride <[john.mcbride@nortonrosefulbright.com](mailto:john.mcbride@nortonrosefulbright.com)>; Peter M. Hillegas <[peter.hillegas@nortonrosefulbright.com](mailto:peter.hillegas@nortonrosefulbright.com)>; Trevor E. D. Young <[trevor.young@oag.texas.gov](mailto:trevor.young@oag.texas.gov)> <[trevor.young@oag.texas.gov](mailto:trevor.young@oag.texas.gov)>; Noah Heinz <[Noah.Heinz@kellerpostman.com](mailto:Noah.Heinz@kellerpostman.com)>; Zina Bash <[zina.bash@kellerpostman.com](mailto:zina.bash@kellerpostman.com)>; Joseph M. Graham Jr. <[joseph.graham@nortonrosefulbright.com](mailto:joseph.graham@nortonrosefulbright.com)>; Ashley Keller <[ack@kellerpostman.com](mailto:ack@kellerpostman.com)>; Brooke Smith <[brooke.smith@kellerlenkner.com](mailto:brooke.smith@kellerlenkner.com)>; [jdugan@dugan-lawfirm.com](mailto:jdugan@dugan-lawfirm.com)

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**Subject:** RE: State of Texas v Google - Deposition Notices

We can talk at noon on Monday. Thanks, Geraldine

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**From:** SALEM, Sara <[Sara.Salem@freshfields.com](mailto:Sara.Salem@freshfields.com)>

**Sent:** Friday, March 22, 2024 10:30 AM

**To:** Geraldine W. Young <[geraldine.young@nortonrosefulbright.com](mailto:geraldine.young@nortonrosefulbright.com)>; 'Audrey Moore'

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**Cc:** SESSIONS, Justina (JKS) <[Justina.Sessions@freshfields.com](mailto:Justina.Sessions@freshfields.com)>; Bradley Justus <[bjustus@axinn.com](mailto:bjustus@axinn.com)>; Paul Yetter <[pyetter@yettercoleman.com](mailto:pyetter@yettercoleman.com)>; Bracewell, Mollie <[mbracewell@yettercoleman.com](mailto:mbracewell@yettercoleman.com)>; MAHR, Eric (EJM) <[Eric.MAHR@freshfields.com](mailto:Eric.MAHR@freshfields.com)>; MCCALLUM, Robert <[rob.mccallum@freshfields.com](mailto:rob.mccallum@freshfields.com)>; ELMER, Julie (JSE) <[Julie.Elmer@freshfields.com](mailto:Julie.Elmer@freshfields.com)>; John Harkrider <[jharkrider@axinn.com](mailto:jharkrider@axinn.com)>; Daniel Bitton <[dbitton@axinn.com](mailto:dbitton@axinn.com)>; [jhunsberger@axinn.com](mailto:jhunsberger@axinn.com); [dpearl@axinn.com](mailto:dpearl@axinn.com); Ali Vissichelli <[avissichelli@axinn.com](mailto:avissichelli@axinn.com)>; Bryce Callahan <[bcallahan@yettercoleman.com](mailto:bcallahan@yettercoleman.com)>; EWALT, Andrew (AJE) <[Andrew.Ewalt@freshfields.com](mailto:Andrew.Ewalt@freshfields.com)>

**Subject:** RE: State of Texas v Google - Deposition Notices

Hi Geraldine –

We are available to meet and confer Monday at 8am CT or 12pm CT.

Thanks,  
Sara

**Sara Salem**

Senior Associate

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---

**From:** Geraldine W. Young <[geraldine.young@nortonrosefulbright.com](mailto:geraldine.young@nortonrosefulbright.com)>

**Sent:** Friday, March 22, 2024 8:51 AM

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**Subject:** Re: State of Texas v Google - Deposition Notices

Sara - That time does not work for us today. We can talk Monday afternoon or Tuesday morning - let us know times that work then.

Thanks, Geraldine

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**From:** SALEM, Sara <[Sara.Salem@freshfields.com](mailto:Sara.Salem@freshfields.com)>

**Sent:** Thursday, March 21, 2024 6:45:42 PM

**To:** 'Audrey Moore' <[Audrey.Moore@LanierLawFirm.com](mailto:Audrey.Moore@LanierLawFirm.com)>; Zeke DeRose III <[zeke.derose@lanierlawfirm.com](mailto:zeke.derose@lanierlawfirm.com)>; Jonathan Wilkerson <[Jonathan.Wilkerson@LanierLawFirm.com](mailto:Jonathan.Wilkerson@LanierLawFirm.com)>; Alex J. Brown <[Alex.Brown@LanierLawFirm.com](mailto:Alex.Brown@LanierLawFirm.com)>; Marc B. Collier <[marc.collier@nortonrosefulbright.com](mailto:marc.collier@nortonrosefulbright.com)>; John McBride <[john.mcbride@nortonrosefulbright.com](mailto:john.mcbride@nortonrosefulbright.com)>; Peter M. Hillegas <[peter.hillegas@nortonrosefulbright.com](mailto:peter.hillegas@nortonrosefulbright.com)>; Trevor E. D. Young (<[trevor.young@oag.texas.gov](mailto:trevor.young@oag.texas.gov)> <[trevor.young@oag.texas.gov](mailto:trevor.young@oag.texas.gov)>); Noah Heinz <[Noah.Heinz@kellerpostman.com](mailto>Noah.Heinz@kellerpostman.com)>; Zina Bash <[zina.bash@kellerpostman.com](mailto:zina.bash@kellerpostman.com)>; Joseph M. Graham Jr. <[joseph.graham@nortonrosefulbright.com](mailto:joseph.graham@nortonrosefulbright.com)>; Ashley Keller <[ack@kellerpostman.com](mailto:ack@kellerpostman.com)>; Brooke Smith <[brooke.smith@kellerlenkner.com](mailto:brooke.smith@kellerlenkner.com)>; [<jdugan@dugan-lawfirm.com>](mailto:jdugan@dugan-lawfirm.com); Geraldine W. Young <[geraldine.young@nortonrosefulbright.com](mailto:geraldine.young@nortonrosefulbright.com)>

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**Subject:** RE: State of Texas v Google - Deposition Notices

**[External Email – Use Caution]**

Counsel –

We would like to meet and confer with you regarding your deposition notices to Mr. Brin and Mr. Pichai. We will respond separately regarding the other notices that you served on Tuesday night.

Are you available tomorrow between 3 and 4 CT?

Best,

Sara

**Sara Salem**  
Senior Associate

T+1 202 777 4529 | M +1 202 853 0381

**From:** Audrey Moore <[Audrey.Moore@LanierLawFirm.com](mailto:Audrey.Moore@LanierLawFirm.com)>

**Sent:** Tuesday, March 19, 2024 9:40:18 PM

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**Subject:** RE: State of Texas v Google - Deposition Notices

The Plaintiff States hereby serve the attached Notices of Deposition in the *State of Texas et al. v. Google LLC* case, No. 4:20-cv-00957-SDJ.

While the Plaintiff States have included dates, times, and locations for the noticed depositions, they are willing to confer and work with Google on different dates, times, and locations as long as the depositions take place well in advance of the fact discovery cutoff.

Thank you.

Zeke DeRose III



**Audrey Moore**  
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